

# Nashville Union.

S. C. MERCIER, EDITOR.

## CONFISCATION ACT.

[PUBLIC—No. 160.]

**AN ACT TO suppress insurrection, to punish treason and rebellion, to seize and confiscate the property of rebels, and for other purposes.**

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every person who shall hereafter commit the crime of treason against the United States, and shall be adjudged guilty thereof, shall suffer death, and all his slaves, if any, shall be declared and made free; or at the discretion of the court, he shall be imprisoned for not less than five years, and fined not less than ten thousand dollars; said fine shall be levied and collected on any or all of the property, real and personal, excluding slaves, of which the said person so convicted was the owner at the time of committing the said crime, any sale or conveyance to the contrary, notwithstanding.

Sec. 2. And be it further enacted, That if any person shall hereafter incite, aid or assist, or engage in any rebellion or insurrection against the authority of the United States, or the laws thereof, or shall give aid or comfort thereto, or shall engage in the military or naval service of the United States shall, under any pretence whatever, assume to decide on the validity of the claim of any person to the service or labor of any other person, or surrender up any such person to the claimant, on pain of being dismissed from the service.

Sec. 3. And be it further enacted, That the following resolution was unanimously adopted at the great State Union Convention held in this city May 12, 1862:

Resolved, That we recognize in the NASHVILLE UNION an able exponent of the principles of the Union men of Tennessee, and we earnestly recommend it as well deserving of the patronage of Union men everywhere.

Sec. 4. And be it further enacted, That the President of the United States is authorized to employ as many persons of African descent as he may deem necessary, and proper for the suppression of this rebellion, and for this purpose he may organize and use them in such manner as he may judge best for the public welfare.

Sec. 5. And be it further enacted, That this act shall not be construed in any way to affect or alter the prosecution, conviction, or punishment of any person or persons guilty of treason against the United States before the passage of this act, unless such person is convicted under this act.

Sec. 6. And be it further enacted, That, to ensure the speedy termination of the present rebellion, it shall be the duty of the President of the United States to cause the seizure of all the estates and property, stocks, credits, and effects of the persons hereinbefore named in this section, and to apply and use the same and the proceeds thereof for the support of the army of the United States; that is to say:

First. Of any person hereafter acting as an officer of the army or navy of the rebels in array against the Government of the United States.

Secondly. Of any person hereafter acting as President, Vice-President, member of Congress, judge of any court, cabinet officer, foreign minister, commissioner or counsel of the so-called Confederate States of America.

Thirdly. Of any person hereafter acting as Governor of a State, member of a Convention or Legislature, or judge of any court of any of the so-called Confederate States of America.

Fourthly. Of any person who, having held an office of honor, trust or profit in the United States, shall hereafter hold an office in the so-called Confederate States of America.

Fifthly. Of any person hereafter holding an office or agency under the so-called Confederate States of America, or under any of the several States of the said Confederacy, or the laws thereof, whether such office or agency be national, state, or municipal in its name or character: Provided, That the persons thirdly, fourthly and fifthly above described shall have accepted their appointment or election since the date of the pretended ordinance of secession of the State, or shall have taken an oath of allegiance to, or to support the Constitution of, the so-called Confederate States.

Sixthly. Of any person who, owning property in any loyal State or Territory of the United States, or in the District of Columbia, shall hereafter assist and give aid and comfort to such rebellion; and all sales, transfers, or conveyances of any such property shall be null and void; and it shall be a sufficient bar to any suit brought by such person for the possession or use of such property, or any of it, to allege and prove that he is one of the persons described in this section.

Sec. 6. And be it further enacted, That if any person within any State or Territory of the United States other than those named as aforesaid, after the passage of this act, being engaged in armed rebellion against the Government of the United States, or aiding or abetting such rebellion, shall not, within sixty days after public warning and proclamation duly given and made by the President of the United States, cease to aid, countenance, and abet such rebellion, and return to his allegiance to the United States, all the estate and property, money, stocks and credits of such person shall be liable to seizure as aforesaid, and it shall be the duty of the President to seize and use them as aforesaid, or the proceeds thereof.

And all sales, transfers or conveyances of any such property after the expiration of the said sixty days from the date of such warning and proclamation, shall be null and void; and it shall be a sufficient bar to any suit brought by such person for the possession or use of such property, or any of it, to allege and prove that he is one of the persons described in this section.

Sec. 7. And be it further enacted, That to secure the condemnation and sale of any such property, after the same shall have been seized, so that it may be made available for the purposes aforesaid, proceedings in rem shall be instituted in the name of the United States in any district court thereof, or in any Territorial court, or in the United States district court for the District of Columbia, within which the property above described, or any part thereof, may be found, or into which the same, if movable, may first be brought, which proceedings shall conform as nearly as may be to admiralty or revenue cases, and said property, whether real or personal, shall be found to have belonged to a person engaged in rebellion, or who has given aid or comfort thereto, the same shall be condemned as enemies' property, and become the property of the United States, and may be disposed of as the court shall decree, and the proceeds thereof paid into the Treasury of the United States for the purposes aforesaid.

Sec. 8. And be it further enacted, That the several courts aforesaid shall have power to make such orders, establish such forms of decree and sale, and direct such sales and conveyances to be executed and delivered by the marshals

thereof where real estate shall be subject to sale, as shall fully and efficiently effect the purposes of this act, and vest in the purchasers of such property good and valid titles thereto. And the said courts shall have power to allow such fees and charges of their officers as shall be reasonable and proper in the premises.

Sec. 9. And be it further enacted, That all slaves of persons who shall hereafter be engaged in the rebellion against the Government of the United States, or who shall in any way give aid or comfort thereto, escaping from such persons and taking refuge within the lines of the army; and all slaves captured from such persons or deserted by them and coming under the control of the Government of the United States, and all slaves of such persons found on [or] being within any place occupied by rebel forces and afterwards occupied by the forces of the United States, shall be deemed captives of war, and shall be forever free of their servitude, and not again held as slaves.

Sec. 10. And be it further enacted, That no slave escaping into any State, Territory or the District of Columbia, from any other State, shall be delivered up or held in any way impeded or hindered in his liberty, except for crime, or some offence against the laws, unless the person claiming said fugitives shall first make oath that the person to whom the labor or service of such fugitive is alleged to be due is his lawful owner, and has not borne arms against the United States in the present rebellion, nor in any way given aid and comfort thereto; and no person engaged in the military or naval service of the United States shall, under any pretence whatever, assume to decide on the validity of the claim of any person to the service or labor of any other person, or surrender up any such person to the claimant, on pain of being dismissed from the service.

Sec. 11. And be it further enacted, That the Editor will be greatly obliged to persons making up clubs for the Union if they will remit to the publishers and not to himself. Communications and subscriptions are sometimes mixed up with private information in such a manner as to cause needless delay and trouble to all parties.

The following resolution was unanimously adopted at the great State Union Convention held in this city May 12, 1862:

Resolved, That we recognize in the NASHVILLE UNION an able exponent of the principles of the Union men of Tennessee, and we earnestly recommend it as well deserving of the patronage of Union men everywhere.

Sec. 12. And be it further enacted, That the President of the United States is authorized to employ as many persons of African descent as he may deem necessary, and proper for the suppression of this rebellion, and for this purpose he may organize and use them in such manner as he may judge best for the public welfare.

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Sec. 14. And be it further enacted, That the President of the United States shall have power to institute proceedings, make orders and decrees, issue process, and all other things necessary to carry this act into effect.

Approved, July 17, 1862.

[PUBLICATION—No. 54.]

**JOINT RESOLUTION extraordinary of AN ACT to suppress insurrection, to punish treason and rebellion, to seize and confiscate the property of rebels, and for other purposes.**

Resolved, By the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the third clause of the fifth section of "An act to suppress insurrection to punish treason and rebellion, to seize and confiscate the property of rebels, and for other purposes," shall be construed as not to apply to any act or done prior to the passage thereof, nor to include any member of a State Legislature or Judge of any State Court, who has not in accepting or enacting upon his office, taken an oath to support the Constitution of the so-called "Confederate States of America," nor shall any punishment or proceeding under said act be so construed as to work a forfeiture of the real estate of the offender, beyond his natural life.

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